

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

MARILYN LUCEY,

Plaintiff,

v.

HARTFORD LIFE and ACCIDENT INSURANCE COMPANY,

Defendant.

04-CV-10800-NG

DEFENDANT HARTFORD LIFE AND ACCIDENT INSURANCE COMPANY'S  
REQUEST FOR LEAVE TO FILE SUR-REPLY TO PLAINTIFF'S REPLY BRIEF MOTION  
TO DEFINE THE PROPER SCOPE OF THE RECORD FOR JUDICIAL REVIEW

Defendant Hartford Life and Accident Insurance Company ("Hartford") hereby requests leave of Court to submit its Sur-Reply to Plaintiff's Reply Brief regarding Plaintiff's Motion to Define the Proper Scope of the Record For Judicial Review ("Plaintiff's Reply Brief"). Leave should be granted because Plaintiff's Reply Brief is both procedurally and substantively defective, and failure to grant leave would unfairly prejudice Hartford.

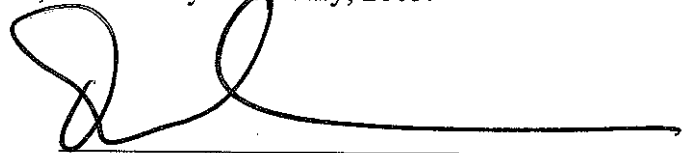
Respectfully submitted, the Defendant  
Hartford Life & Accident Insurance Company  
By its Attorney,



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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was served on counsel to all other parties to this action by first class U.S. mail, postage prepaid, this 7th day of January, 2005.

A handwritten signature in black ink, consisting of a large, stylized 'D' followed by a horizontal line extending to the right.

David B. Crevier